

August - September 1993
Number Five

Price \$4.00

THE INVESTIGATOR

* THE ASSASSINATION OF PRESIDENT JOHN F. KENNEDY *
In Search Of The Truth

*CASE CLOSED: LEE HARVEY OSWALD AND THE ASSASSINATION OF
JFK By GERALD POSNER: A PRELIMINARY CRITIQUE
By Martin Shackelford*

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IT'S NEVER TOO LATE TO INVESTIGATE

EDITOR AND PUBLISHER: G. J. ROWELL

THE INVESTIGATOR is published bimonthly.
1501 Park Avenue, Bay City, Michigan 48708.

Subscription rates: \$20 for 1 year. \$4.00 for single issues.
Canada: \$26 per year, \$5.00 for single issues (US Funds Only).
Overseas: \$35.00 per year, \$6.00 for single issues (US Funds Only).

...This issue would have reached subscribers sooner, however, because of the extensive media coverage of Gerald Posner's Case Closed, I felt it was imperative to get Martin Shackelford's excellent "Critique" into your hands as soon as possible. Therefore, I scrapped the issue I had in progress and started from scratch. I believe this special issue is well worth the delay.

...Vincent Palamara's review of both the movie and the book of "In The Line Of Fire" originally scheduled for this issue, can be found in the latest issue of Professor Jerry D. Rose's outstanding The Third Decade research journal.

...Education professional David Keck states that he "will present a two-hour workshop on 'Applications of Teaching the Assassination of John F. Kennedy to the Social Studies Classroom' at the Annual Meeting of the National Council for the Social Studies on November 22, 1993 in Nashville at the Opryland Hotel. The presentation is from 1:00 to 3:00 in the afternoon. It will focus on teaching strategies for the topic that will include outcomes-based and interdisciplinary strategies, as well as convergent/divergent and inductive/deductive reasoning skills. While the emphasis will not be on presenting evidence as such to this group of educators, there will be materials presented there of a primary source nature so that the teachers can go back to their classrooms better equipped to accurately and responsibly deal with the subject. To that end, I will present a showing of the Zapruder film, and also display Oswald autopsy photographs and a 6.5 Mannlicher-Carcano that was purchased in January of 1963 by mail from Klein's Sporting Goods store, as well as a replica of the type of bullet found on the stretcher in Parkland Hospital. Any publicity you could give to this would be helpful. I am making this presentation without any charge."

...Dr. Charles A. Crenshaw has written in his book JFK: Conspiracy of Silence of a strange telephone call received while in the process of trying to save Lee Harvey Oswald's life: "Dr. Crenshaw, I [President Lyndon Johnson] want a deathbed confession from the accused assassin. There's a man in the operating room who will take the statement." In partial confirmation that this episode took place, researcher Kathlee Fitzgerald has discovered in an article from the Dallas Morning News Scene Magazine from 1979 that J. Gordon Shanklin, Special Agent in Charge of the Dallas office, ordered Agent Charles Brown and a fellow unidentified FBI Agent to Parkland Hospital to standby in case Oswald made a dying statement.

...During a conversation with researcher Todd Vaughan on September 24, 1993, Todd told me that Dr. John K. Lattimer, author of Kennedy And Lincoln, had recently conducted tests on cadaver chests - shooting through a neck and into a chest (simulating the Single Bullet Theory) and observing that the bullet pushes out the cadaver jacket lapel just like in the Zapruder film.

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Case Closed: Lee Harvey Oswald and the Assassination of JFK by Gerald Posner: A Preliminary Critique

By Martin Shackelford

DEJA VU: In 1964, the Warren Commission, after 8 months of studying the JFK assassination, published a book purporting to solve the case; they got virtually uncritical media support and coverage, but they were wrong. In 1966, after three years of studying the JFK case, Mark Lane published a book purporting to solve it; he got mountains of media coverage, but he was wrong. In 1980, after 17 years of studying the case, David Lifton published a book purporting to solve it; *Time* magazine devoted two pages to his book, and he got a lot of television coverage, but he was wrong. In 1993, after 2 years of study, Gerald Posner published a book purporting to finally resolve the issues in the case, and *US News & World Report* devoted 27 pages in a special issue on the book, and he is getting a lot of television coverage. He, too, is wrong, but the media seems fonder of his version than Lifton's: he says the Warren Commission was right. As he later notes, "An increasing amount of published work is a dangerous mixture of good information with a liberal dose of falsehoods. Sifting out the truth is increasingly difficult for those not well versed in the facts."¹ Unfortunately, the same may be said of his own book.

BLURBS: Posner's book is highly praised on the dust jacket by Tom Wicker, a longtime Warren Commission apologist who in 1979 wrote an introduction to the House Select Committee on Assassinations report (NY: Times edition) praising the Committee's vindication of the Commission, then later confessed he hadn't read the Committee's report, and also wrote the foreword in 1982 to James Phelan's attack on the Garrison investigation²; by novelist William Styron, who has no particular qualifications on the subject, but has a current book with Posner's publisher, Random House³; by intelligence analyst David Wise, whose five books have been published by Random House⁴; and by historian Stephen Ambrose, biographer of Presidents Eisenhower and Nixon, whose only work on the JFK case appears to have been a survey piece in the *New York Times Book Review*.⁵

EVOLUTION: Posner falsely states: "In the critical literature, Lee Harvey Oswald has evolved from being the lone killer to being part of a conspiracy to being an innocent patsy to being a hero who vainly tried to save the President by warning the FBI of the plot."⁶ No such evolution can be deduced from "the critical literature." Some viewed him as a patsy as early as 1963-64; he appears as the lone killer mainly in the uncritical literature, like Posner's book (and those of Belin, Moore, Sparrow and others); the hero version came from the Jim Garrison investigation after the reported William S. Walter teletype; he leaves out Mafia hitman, Castro hitman, KGB hitman, and other theories.

CONSPIRACY PSYCHOLOGY: "Public receptivity...is also fed by suspicions that politicians lie and cover up misdeeds while intelligence and military officials plot against the nation they are supposed to protect."⁷ Gee, I'm glad Watergate, the S&L cover-up, Iran-Contra, etc., were only "suspicions" and not documented fact. As for military-intelligence plotting, JFK seems to have shared that concern, as evidenced by his enthusiastic cooperation with the filming of "Seven Days in May." But I don't expect Posner to be aware of all this--he's new to the field.

¹ pp. 468-9.

² *Scandals, Scamps and Scoundrels*.

³ *At Random* #6, Fall 1993, p. 79.

⁴ Author's collection.

⁵ 2-2-92.

⁶ p. ix.

⁷ p. x.

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OSWALD THE FORGOTTEN MAN: Oswald is "forgotten in most recent studies."⁸ Mr. Posner seems not have read Dick Russell's The Man Who Knew Too Much, and indeed it is not in his bibliography. At the last ASK conference, Marina Oswald was the most avidly questioned person there--about her late husband. Anthony Summers and Gus Russo have been hard at work on a PBS documentary about Oswald, and David Lifton is working on a book. How forgotten can you get?

KICK YOU VERY MUCH: Apparently because he did research at the JFK Assassination Information Center in Dallas, Posner does not initially name the "shopping mall 'assassination research centers' stuffed with souvenir T-shirts and bumper stickers,"⁹ though he corrects this omission much later in the book.¹⁰ He reports "plans to expand to other cities," apparently unaware of the existing satellite branch in Niagara Falls. Anyone who has been to JFK AIC knows that the few T-shirts and bumper stickers are a tiny fraction of the contents even of the "gift shop" portion, but Posner dismisses it as "an entertainment business." He also dismisses the A.S.K. conferences as "commercialization, disguised as research."¹¹ He throws in the fact that "Oswald's signature commands a higher price than President Kennedy's,"¹² though autograph values tend to be primarily a matter of scarcity, and available examples of Oswald's signature would be rarer than Kennedy's.

UNINFORMED: Posner correctly points out that "far too many people are content to receive all their knowledge on an important issue from a single article or a three-hour movie."¹³ He seems to be hoping that his book will suffice.

ARREST: Posner says "A crowd...had gathered...the rumor circulating that the President's assassin might have been caught."¹⁴ More than a rumor: inside the Theater, a policeman had yelled "Kill the President, will you?"¹⁵ He says "The young man smirked and hollered back," apparently unaware of the films and photographs which show an unsmirking Oswald being brought out and placed into the police car.¹⁶ But "smirk" is a popular term with Warren Commission apologists, probably why the cover photo of Oswald was chosen: atypical, but often said to show a "smirk." Another (unsourced) "smirk" appears on the following page. Later, he discusses the arrest again¹⁷, dismissing the account of Warren Burroughs because his IQ was low¹⁸, and implying that Brewer quickly pointed out Oswald, and police went straight to him¹⁹, though other accounts indicate police checked others before Oswald.

OSWALD THE CHILD: I haven't studied Lee Harvey Oswald's childhood, so Posner's account may be relatively accurate, though on one page²⁰ Oswald is described as a gang leader, while on another²¹ he is described as "a bookworm," a combination not often found in conjunction.

⁸ *ibid.*

⁹ p. xi.

¹⁰ p. 470.

¹¹ pp. 469-70.

¹² p. 470.

¹³ *ibid.*

¹⁴ p. 4.

¹⁵ Testimony of Johnny Brewer to Warren Commission, 7H p. 6.

¹⁶ Though his photo section includes an earlier photo of the Theater crowd by one of the same photographers, S.L. Reed.

¹⁷ pp. 281-2.

¹⁸ Footnote 1, p. 281.

¹⁹ p. 282.

²⁰ p. 7.

²¹ p. 9.

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STRAWMAN: Given the focus of Josiah Thompson's book, on the events in Dealey Plaza and not on Oswald's life, it is not surprising that, as Posner points out, Thompson "do[es] not mention the New York period."²² The other authors mentioned²³ are also not writing about Oswald's childhood. For other examples of this, see below.

TRUANCY: Though Posner quotes a social worker as saying Oswald truanted just to go home and didn't "go to the park...or whatever it is,"²⁴ a published photo shows Oswald at the park in New York during this period, apparently having a good time.

HARTOGS: Posner cites Dr. Renatus Hartogs for proof of Oswald's dangerousness, failing to note that Hartogs original report is less supportive of this than the testimony cited by Posner²⁵, which was given after the assassination and Oswald's death. Hartogs remembers even more in his 1966 book, which doesn't appear in Posner's bibliography. He cites²⁶ Hartogs' explanation that the report's diagnosis of "passive-aggressive" seemed to him "quite clear" in "emphasizing Oswald's potential for violence," though a college textbook definition²⁷ emphasizes "(a) passive dependence..., (b)...passive obstructionism" and only a tertiary definition including "irritability, tantrums and destructiveness." In other words, violence is not what the term "passive-aggressive" normally brings to mind, but Hartogs is an "expert," so Posner accepts his explanation without question, and sneers that "many of the critics ignore Hartogs' testimony." He again lists works that do not focus on Oswald's childhood²⁸, and notes the absence of references to Hartogs. He quotes Sylvia Meagher out of context, and fails to note that her conclusion that Oswald was not psychotic was explicitly supported by a quote from Hartog's original report! To show that Oswald WAS "a psycho," Posner provides the "expert testimony" of a New Orleans neighbor on the point.²⁹ It should also be noted that, as Marina Oswald recently pointed out, "just because he had a bad character doesn't make him an assassin."³⁰

COMMIE: After noting that Oswald had no close friends, Posner cites two teenage acquaintances for evidence that Oswald was "a committed Communist,"³¹ though definitions of this term during the McCarthy Era were somewhat less than precise--but perhaps Posner is too young to remember.

GAY?: In his enthusiasm for any "negative" information about Oswald, Posner presents some intriguing hints that Oswald may have been gay or bi-sexual³² which lends support to some critics' theories more than to the Warren Commission, particularly in connection with his relationship to David Ferrie. He also notes speculation along these lines by George DeMohrenschildt.³³ Later, he suggests that Jack Ruby also might have been gay.³⁴

MILITARY RECORDS: Posner seems to accept military hospital records as definitive³⁵, though in other cases Oswald's military records are contradictory.

²² p. 11.

²³ Summers, Garrison, Lane and Groden.

²⁴ p. 12.

²⁵ *ibid.*

²⁶ p. 13.

²⁷ James Coleman, *Abnormal Psychology and Modern Life*, Third Edition, 1964, p. 363.

²⁸ Lane, Thompson, Garrison, David, Groden & Livingstone, Blakey, Hurt, Scheim and Lifton.

²⁹ p. 15.

³⁰ John F. Kennedy Assassination Symposium, Sudbury, Ontario, August 22, 1993.

³¹ pp. 16-18.

³² p. 21.

³³ Footnote 1, p. 88.

³⁴ Footnote, p. 356.

³⁵ p. 22, note 1.

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Posner also seems unfazed by Oswald's frequenting of the expensive Queen Bee nightclub in Tokyo without seeming to spend hardly any money.³⁶ He cites testimony of a Marine to refute a hypothesis proposed by Henry Hurt, but gives no name or source citation for the statement.³⁷

THORNLEY: Posner cites Kerry Thornley's novel, "not published until 1991,"³⁸ apparently unaware that material from the novel was incorporated into Thornley's 1965 book Oswald. Posner notes again that critics who weren't writing Oswald biographies³⁹ don't mention Thornley.

HISTORIC DIARY: Posner says later entries in Oswald's diary "appear contemporaneous,"⁴⁰ failing to mention that the handwriting examinations he cites determined the diary was written in two sittings. Marina Oswald states the diary was written on the boat returning from Europe in 1962, as Oswald had been afraid to bring any papers out of Russia.⁴¹

U.S. AGENT?: Posner cites Vladimir Semichastny⁴² to argue the KGB didn't believe Oswald could be a Soviet agent, but earlier⁴³ quotes Nosenko as saying KGB surveillance was partly to determine that Oswald "was not an American sleeper agent." Oleg Kalugin, another KGB official, told "The McNeil-Lehrer News Hour"⁴⁴ the KGB had suspected Oswald might be a U.S. agent. Posner himself later refers to KGB measures taken to determine if he was a U.S. spy.⁴⁵ At the same time, Oswald doesn't appear to have been a U.S. agent in Russia, nor to have been recruited by the KGB.

DeMOHRENSCHILDT AND THE CIA: Posner dismisses suggestions that any ties existed between George DeMohrenschildt and the C.I.A., or that DeMohrenschildt was reporting to them on Oswald⁴⁶, apparently unaware of the documents uncovered by Edward Epstein which establish the opposite.⁴⁷ That particular Epstein book doesn't appear in Posner's bibliography. Posner seeks to discredit the idea by saying only that DeMohrenschildt gave a statement to that effect to Epstein in 1977, when he "was quite mad."⁴⁸

SPELLING: Posner consistently misspells Declan Ford's name as Delcan.⁴⁹ Silvia Odio becomes Sylvia.⁵⁰ Diana Bowron becomes Bowren.⁵¹ Santos Trafficante becomes Santo.⁵² Carlo Roppolo becomes Carl.⁵³ Professor David Wrono becomes Richard Wrono.⁵⁴ Life magazine writer Paul Mandel becomes Mandal.⁵⁵

³⁶ p. 25.

³⁷ Footnote, p. 27.

³⁸ p. 30.

³⁹ Especially Groden & Livingstone, David, Scheim and Thompson.

⁴⁰ Footnote, p. 51.

⁴¹ ASK 1992.

⁴² Footnote, p. 56.

⁴³ p. 52.

⁴⁴ PBS, Nov. 22, 1991.

⁴⁵ p. 59.

⁴⁶ pp. 86-87.

⁴⁷ Epstein, The Assassination Chronicles, pp. 558-569.

⁴⁸ Footnote 1, p. 119.

⁴⁹ pp. 88, 95, 100.

⁵⁰ p. 175.

⁵¹ p. 288.

⁵² pp. 458-9.

⁵³ p. 460.

⁵⁴ p. 469.

⁵⁵ p. 486.

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CLASSIFIED SOURCES?: Posner implies that he was given access to Oswald's income tax returns: "Copies of Oswald's tax returns show he had little money left after paying monthly expenses."⁵⁶

OSWALD'S GUNS: Guns were "things he had wanted for some time,"⁵⁷ says Posner, without any supporting documentation. He avoids a detailed description of the Mannlicher-Carcano rifle ordered by Oswald, thus avoiding having to explain why it didn't match the one found in the Book Depository in November.⁵⁸ He later focuses on the issue of whether the Depository rifle was the same as that in the backyard photos, and concludes that the two were identical.⁵⁹ Separating the two facts on separate pages⁶⁰, Posner mentions that Ruth Paine visited Marina the same day Oswald received his rifle and pistol.

THE BACKYARD PHOTOS: Posner quotes Marina as saying she took the photos⁶¹, but there is no discussion of her statement, made elsewhere, that she stood with her back to the stairway when she took the photos--and those in evidence show the stairway on the opposite side of the yard from the camera. That issue, however, is one of the few remaining that questions the authenticity of the photos. Posner reports that The Militant found no record of receiving one of the photos⁶², but Hal Verb's interviews with former Militant staffers⁶³ make it clear that staffers recalled receiving a photo fitting the general description.

THE WALKER SHOOTING: Posner accepts that Oswald shot at Walker, and also states that the photo of Walker's house had a hole in it when originally found, based on "a photo of evidence taken from Oswald's flat,"⁶⁴ but the photo as published in Chief Curry's book shows NO hole in the photo when it was found.⁶⁵ Posner's statement is demonstrably false, which raises questions about other aspects of his account of the Walker shooting. Posner again lists critics who don't discuss the Walker shooting, failing to note that the subject matter of their books wouldn't naturally cover it.⁶⁶

FAIR PLAY LEAFLETS: Posner makes the unsourced statement that, on the day he left for New Orleans, Oswald picked up 50 Fair Play for Cuba leaflets from his Post Office box in Dallas.⁶⁷

ADRIAN ALBA: Posner alleges Adrian Alba didn't tell the story about Oswald and the FBI envelope until 1978, when interviewed by Anthony Summers.⁶⁸ In fact, he first told the story to Australian researcher Ian MacFarlane three years earlier.⁶⁹ Posner states Alba said the FBI car was occupied by an FBI agent from Washington. Alba told MacFarlane the car was "one of the unmarked FBI cars that parked in his lot...however, he did not claim to know the identity of the driver..." The vehicle was light green, and Alba saw it make delivery of envelopes to Oswald on two occasions, not one as reported by Posner, who cites only Summers and the HSCA. The latter

⁵⁶ Footnote, p. 98.

⁵⁷ p. 98.

⁵⁸ p. 104.

⁵⁹ p. 108.

⁶⁰ pp. 105 and 106.

⁶¹ Footnote 2, p. 107.

⁶² Footnote 1, p. 109.

⁶³ Reported at ASK 91 and 92 conferences in Dallas.

⁶⁴ Footnote 2, p. 117.

⁶⁵ JFK Assassination File, p. 113; also reprinted in Gary Shaw and Larry Harris, Cover-up, pp. 45-6.

⁶⁶ Scheim and Lifton.

⁶⁷ p. 121.

⁶⁸ p. 131.

⁶⁹ Affidavit of Ian MacFarlane, Dec. 23, 1975, summarizing interview with Adrian Alba, Nov. 10, 1975.

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is cited to discredit Alba by noting that "no FBI agents checked a car out of his garage during all of 1963."⁷⁰ As Alba said it was an FBI vehicle, but didn't know the identity of the driver, this is not a clear disproof of his account.

GUY BANISTER: Posner works hard to deny any ties between Oswald and Guy Banister. He attacks the credibility of Gaeton Fonzi, Jack Martin and Delphine Roberts.⁷¹ Of "six other individuals who worked for Guy Banister," he notes that "none of them recalled seeing Oswald at 544 Camp."⁷² Although Posner is clearly familiar with Anthony Summers' book *Conspiracy*, he fails to mention two brothers who worked for Banister, Allen and Daniel Campbell.⁷³ Two other witnesses to Banister's "interest" in Oswald are also mentioned.⁷⁴ A supply of Oswald's leaflets were found in Banister's office after his death, according to his widow, and a Banister undercover agent also implied a connection between Banister and Oswald⁷⁵, but these witnesses also go unmentioned by Posner.

CLINTON INCIDENT: Posner repeats the myth that Guy Banister was mistaken for Clay Shaw in the Clinton, Louisiana incident.⁷⁶ What he fails to mention is that one of the witnesses, Henry Palmer, had served in the Navy with Banister, and was quite firm in stating the man was not Banister.⁷⁷ On the other hand, Posner provides an interesting summary of the Clinton witnesses' early statements.⁷⁸

VECIANA: Posner dismisses the Antonio Veciana report about "Maurice Bishop,"⁷⁹ ignoring the collateral evidence reported by HSCA and Gaeton Fonzi. In fact, Posner tends to imply that Fonzi, whom he describes as "a committed believer in a conspiracy," is therefore not a reliable source.⁸⁰

SILVIA ODIO: In a lengthy attempt to discredit the Odio story⁸¹, Posner brings in everything from Gaeton Fonzi's credibility, to Oswald's travel records, to Odio's emotional history. He suggests that perhaps "Leon Oswald" was the "war name" of an anti-Castroite, and that Odio may have made up part of her story. He does raise significant doubts, but it is not clear that he has resolved the matter. He seems to accept the FBI's Hall-Howard-Seymour explanation, which even the FBI no longer accepts. Dick Russell has cast further doubt on this explanation,⁸² and includes information which suggests an alternative one.⁸³ Russell's book is apparently known to Posner, though his bibliography doesn't include it, as he dismisses it in a footnote⁸⁴ and a sentence⁸⁵, suggesting the book can be ignored because Richard Case Nagell is unreliable; this overlooks much solid research in the case which is also included in the book, regardless of Nagell's credibility either way.

⁷⁰ p. 132.

⁷¹ pp. 138-141.

⁷² p. 139.

⁷³ Summers, *Conspiracy* (Paragon House, 1992 ed.), p. 293.

⁷⁴ *ibid.*, p. 296.

⁷⁵ Warren Hinckle & William Turner, *Deadly Secrets* (Thunder's Mouth Press, 1992), p. 234-5.

⁷⁶ Footnote, p. 144.

⁷⁷ Palmer, HSCA testimony.

⁷⁸ pp. 145-8.

⁷⁹ Footnote, pp. 155-6.

⁸⁰ Footnote, pp. 138-9; footnote p. 176.

⁸¹ pp. 175-180.

⁸² *The Man Who Knew Too Much*, pp. 480-3.

⁸³ *ibid.*, pp. 499, 539, 590, 703.

⁸⁴ Footnote, p. 445.

⁸⁵ p. 467.

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TELEPHONE TAPE: Posner suggests that there was no tape of an Oswald phone call to the Soviet embassy⁸⁶, apparently unaware that W. David Slawson of the Warren Commission has admitted having listened to the tape in a letter to Amanda Rowell.⁸⁷ Posner calls the tape a "claim,"⁸⁸ suggesting that, like the photos, it was incorrectly identified as Oswald, based on the statement of a retired CIA official. Slawson reports it was a tape of Oswald. Posner goes on to say: "Since there was no...tape recording proving he was there," as though he had proven the tape was nonexistent.⁸⁹ A few pages later⁹⁰, he notes Oleg Nechiporenko's mention of a call from Oswald.

PLANNING: Posner details Oswald's careful planning for the shooting attempt on General Walker⁹¹, yet as of November 1 Oswald clearly expected to be using his new post office box through the end of the year, and seemed to have no plans in mind which might sabotage this, as he put down rental money for the entire period.⁹² Posner argues that Oswald came up with the idea of the assassination on November 19 or 20, when the motorcade route was published in the local papers.⁹³ His "planning" for this shooting allegedly began with a good breakfast on November 22, arrangement with Buell Frasier for a day-early ride to Irving for curtain rods (which Posner states "his apartment did not need"⁹⁴), and making a paper bag at the Depository⁹⁵, ignoring Sylvia Meagher's careful discrediting of the paper bag scenario.⁹⁶ Posner then implies that Oswald reassured himself that his family could get along fine without him, and mentally terminated his relationship with them.⁹⁷ On the other hand, he didn't seem familiar with the motorcade plans on the morning of November 22.⁹⁸ Posner also notes that Oswald "evidently did not have time" to buy bullets, so he used the four "he had left from his last practice session."⁹⁹

OSWALD ON JFK: Posner cites negative comments by Oswald about JFK¹⁰⁰, and an uncharacteristic refusal to talk about him on Nov. 21¹⁰¹, but fails to report Marina's consistent statements that Oswald liked and admired JFK.

THE PAPER BAG: Posner begins by implying that Linnie Mae Randle described the paper bag as under Oswald's armpit, and reaching almost down to the ground, which misrepresents her testimony.¹⁰² He later reports Randle said Oswald cupped it in his right hand, matching the print found on the bag.¹⁰³ The bag found in the Depository was too long to be under his armpit and cupped in his right hand, but that is how Randle and Frasier described it. Posner then indicates Randle and Frasier thought the bag similar to the one found at the Depository; notes microscopic

⁸⁶ p. 182, 187-8.

⁸⁷ Letter of W. David Slawson to Amanda Rowell, Dec. 4, 1992, published in The Investigator No. 2, p. 7, the result of G. J. Rowell's tenacious research on this issue.

⁸⁸ p. 187.

⁸⁹ p. 188.

⁹⁰ pp. 195-6.

⁹¹ pp. 103-6, 112-114.

⁹² Footnote, p. 209.

⁹³ p. 220.

⁹⁴ But photographs taken by Gene Daniel on Nov. 23, 1963, show his landlord and landlady putting up curtain rods and curtains, making it unlikely that they were already there.

⁹⁵ p. 220-1.

⁹⁶ Accessories After the Fact (1975), pp. 47-48.

⁹⁷ pp. 220-3.

⁹⁸ p. 225.

⁹⁹ p. 262.

¹⁰⁰ p. 132.

¹⁰¹ p. 222.

¹⁰² p. 224.

¹⁰³ p. 272.

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blanket fibers found inside it¹⁰⁴ (he later admits this evidence is inconclusive¹⁰⁵); and notes that no curtain rods were found in the Depository¹⁰⁶, concluding that the bag is thus proven authentic and the source of the rifle, though it showed no signs of oil from the well-oiled gun.¹⁰⁷

OSWALD'S WHEREABOUTS: In his zeal to confirm the findings of the Warren Commission, Posner adopts some of its bad habits. An example is his summary of Oswald's movements from 11:45 a.m. until 12:30 p.m.¹⁰⁸ He implies that no one saw Oswald during this period, explicitly dismissing the testimony of Carolyn Arnold. He ignores the testimony of Bonnie Ray Williams and Billy Lovelady, who both said Oswald asked them to send the elevator back up for him; William Shelley, who saw Oswald on the first floor about five minutes later, at 11:50¹⁰⁹; Eddie Piper, who saw Oswald on the first floor at noon¹¹⁰; and Mary Hollies, who saw Oswald on the second floor about 12:25.¹¹¹ This doesn't sound like the Oswald whom Posner has busily building a shield of boxes on the 6th floor this entire time. He also states that James Jarman denied seeing Oswald in the first floor lunchroom, but fails to note the testimony of his companion, Harold Norman, that "there was someone else in there," but he didn't remember who it was. He has Oswald busily at work while Bonnie Ray Williams ate his lunch on the 6th floor, neither seeing (as Posner notes) nor hearing (as he fails to note) any sign of such activity, through at least 12:05.¹¹² This leaves a total of 20 minutes for Oswald (assuming he was on the 6th floor as early as 12:06, which Mary Hollies' testimony casts into doubt) to construct the "shield of boxes," arrange the boxes for the "sniper's nest," and assemble the rifle. Posner says "The sniper's nest was not difficult to construct."¹¹³ He says that "An FBI agent...using only a dime as a tool" assembled the Carcano in six minutes, but according to Dr. Roger McCarthy of Failure Analysis (the company upon whose work his Appendix A is based), testifying in a mock trial of Oswald in 1992, the Carcano could not be assembled with a dime, which was too thick to fit the necessary slots; he added that the Carcano is a "difficult assembly."¹¹⁴

SECOND MAN?: Posner then focuses on discrediting witnesses who reported more than one man on the 6th floor after 12:05, or anyone not fitting Oswald's description.¹¹⁵ In his attempt to do this, he states the Charles Bronson film was examined by Itek Corporation (I have never heard of an Itek evaluation of the Bronson film, though another firm analyzed it for the HSCA) for CBS, and found no one in the windows.¹¹⁶ CBS makes no mention of such a study in its specials after 1978, when the film was discovered, and Posner may be confusing it with films studied by Itek for its 1975 2-part program on the case. As for the HSCA study, he says "neither [study] showed a second person," but the HSCA study, done by Aerospace Corporation, isn't so firm¹¹⁷,

¹⁰⁴ Overlooking the fact that police evidence photos show the bag and blanket lying together before the evidence went to the FBI.

¹⁰⁵ Footnote, p. 272.

¹⁰⁶ But Oswald wasn't seen entering the Depository with ANY package, so he might have left one with curtain rods in another location near the building.

¹⁰⁷ Footnote, pp. 224-5.

¹⁰⁸ pp. 226-228.

¹⁰⁹ Posner does indicate that Shelley saw Oswald at 11:45 instead of 11:50, but he had just cited 5 witnesses who placed Oswald on the 6th floor at 11:45! Footnote, p. 227.

¹¹⁰ Posner simply states Piper "is clearly mistaken," because Oswald was seen on the 6th floor 15 minutes earlier! Footnote, p. 227.

¹¹¹ Mary Hollies, quoted in Edward Oxford, "Destiny in Dallas," *American History Illustrated*, Nov. 1978, p. 22.

¹¹² Footnote, p. 228.

¹¹³ p. 226.

¹¹⁴ "Trial of the Century," American Bar Association annual convention, August 10, 1992.

¹¹⁵ pp. 228-31.

¹¹⁶ Footnote 2, p. 131.

¹¹⁷ "it is not likely to be due to human motion" but "the experts at this meeting could not say conclusively whether... changes...were due to real motion": Letter of Charles G. Leontis, Aerospace Corporation, to Michael Goldsmith,

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and further study of the original film is recommended¹¹⁸. That further study has never been done. Posner's footnote on the films is, at best, misleading. He also ignores the Dillard photograph¹¹⁹ (mentioned in one of Robert Groden's memos to HSCA¹²⁰, and shown in his slide presentations, but unpublished to date), which shows a man in the west end window of the Depository only moments after the shots were fired; the man has never been identified.

OSWALD WITNESSES: Posner then summarizes those witnesses whose testimony would be consistent with Oswald in the 6th floor window.¹²¹ To support the accounts of Robert Edwards and Ronald Fischer, he accepts Oswald's statement that he changed his shirt later at the rooming house,¹²² though Oswald's rooming house housekeeper mentioned only that he got his jacket.¹²³ He spends much time citing witnesses who saw a rifle in the 6th floor window¹²⁴, a fact which is seldom disputed. He then introduces Howard Brennan, whom he describes as leaning on the retaining wall and visible in the Zapruder film (this is true: it shows Brennan sitting on the wall, as does the photo in Posner's own photo section).¹²⁵ He states that Brennan saw a man in the 6th floor window about the time the Bronson film was taken¹²⁶, after arguing the Bronson film shows no one in the window.¹²⁷ Although Amos Euins, also on the retaining wall, is unable to describe the shooter¹²⁸, he accepts Brennan's rather improbable description as credible.¹²⁹ Although critical of accepting later testimony by witnesses, which he views as tainted¹³⁰, Posner takes 8 of his Brennan citations from Brennan's 1987 book.¹³¹ One of the details this produces is the statement that the assassin had "a slight smirk."

THE MOTORCADE: Posner states that "no Secret Service men rode on the running boards," and says this was "As the President and his staff had requested,"¹³² but photographs taken at the time of the turn onto Main Street, and after, show agent Clint Hill on the rear running board.¹³³

THE ASSASSINATION: When the shots were fired, says Posner, "The President's arms jerked up into a locked position level with his neck."¹³⁴ In fact, as the Zapruder film clearly shows, the President's right arm was coming down from a wave, and the left arm rose. The "locked position" description is an apparent attempt to conform to Dr. John Lattimer's argument that Kennedy's arms lock into "Thorburn's position."¹³⁵ Later, he says the right arm is rising "in response to the wound" rather than coming down.¹³⁶ He implies that driver Greer turned back once to look at Kennedy, though the film shows him turning back twice. He describes debris

HSCA, Dec. 21, 1978.

¹¹⁸ *ibid.*, and Letter of Robert H. Selzer, Jet Propulsion Laboratory, to Michael Goldsmith, HSCA, Dec. 21, 1978.

¹¹⁹ Except to publish a small cropped portion in the photo section.

¹²⁰ V. 6, p. 310.

¹²¹ pp. 231-2.

¹²² Footnote, p. 232.

¹²³ p. 268.

¹²⁴ pp. 245-7.

¹²⁵ p. 247.

¹²⁶ p. 248.

¹²⁷ Footnote 2, p. 231.

¹²⁸ p. 247.

¹²⁹ Though Oswald is supposedly kneeling behind a stack of boxes, and only visible to a very limited degree, Brennan provided a height description.

¹³⁰ p. 235.

¹³¹ Footnote, p. 249; pp. 543-4.

¹³² p. 233.

¹³³ Author's collection.

¹³⁴ p. 234.

¹³⁵ Kennedy and Lincoln, p. 244.

¹³⁶ p. 319.

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from the head wound going upward and forward, avoiding mention of the fact that it splattered motorcycle officers behind the limousine, though he quotes other testimony by one of the officers in the next paragraph. Much later, he mentions the splattering of the officers, but only to dismiss its significance.¹³⁷

EARWITNESSES: Posner argues that since Officer J.W. Foster said the shots came from the direction of Elm and Houston, that he is identifying them as coming from the Depository¹³⁸, though there are three buildings at Elm and Houston, one (Dal-Tex) a suspected source of shots. He describes Abraham Zapruder, who reported shots as coming from behind him, as "confused by the acoustics," and Roy Truly as also "confused" when he pointed to the knoll as the source of the shots.¹³⁹ He cites Josiah Thompson's witness catalog, and statements by Joe West and Jim Marrs¹⁴⁰, but is apparently unaware of Craig Ciccone's catalog of 326 witnesses, of whom 90 reported shots from the knoll, 46 from the Depository, and 6 from both.¹⁴¹

ACOUSTICS: Posner attacks the acoustics report cited by the HSCA, but ends his discussion with the Ramsay Report, making no mention of subsequent rebuttals.¹⁴² He reports, without giving a source, that "[H.B.] McLain was photographed accompanying Mrs. Kennedy into the hospital,"¹⁴³ but doesn't include the photo in his photo section.¹⁴⁴ The only evidence he provides is McLain's own account of his presence at the hospital, mentioned later in the book.¹⁴⁵ Later, he simply refers to "the flawed acoustics findings."¹⁴⁶

CONSPIRACY WITNESSES: In his largely successful attempt to discredit some of the accounts of Jean Hill (following in the footsteps of critic Peter R. Whitney), Posner typically goes overboard, stating that "The Zapruder home movie shows Hill never moved or said a word as the President passed, and she was not even looking at him when he was first shot."¹⁴⁷ At the time of the first shot (argued at from Z-frame 161 to 210), Jean Hill isn't visible in the Zapruder film (she doesn't appear until frame 287), so the film provides no evidence as to whether she said anything or stepped out and back prior to frame 287. Posner clearly misrepresents the contents of the film. He also states that her account of mistreatment by Arlen Specter is untrue because "There is nothing remotely approaching such conduct by Specter in the stenographer's verbatim transcription of the deposition,"¹⁴⁸ yet she is not the only witness who reported being browbeaten, and there were off-the-record discussions between counsel and witnesses which didn't appear in the "verbatim transcriptions." He seeks to dismiss Lee Bowers' testimony, saying "there is some doubt whether Bowers saw anything during the assassination,"¹⁴⁹ because his job kept him very busy, yet Bowers' earliest statements indicate he saw something by the fence. He dismisses Gordon Arnold, saying Senator Yarborough's account actually refers to Bill Newman¹⁵⁰, though

¹³⁷ Footnote, p. 316.

¹³⁸ p. 237.

¹³⁹ pp. 237-8.

¹⁴⁰ Footnote 1, p. 238.

¹⁴¹ "Master List of Witnesses in Dealey Plaza, 11/22/63."

¹⁴² pp. 239-42.

¹⁴³ Footnote, p. 240.

¹⁴⁴ In reviewing dozens of published and unpublished photos taken at Parkland, I was only able to locate one which showed Mrs. Kennedy at all, and that shows her LEAVING Parkland and entering the hearse for the trip back to Love Field, but if McLain is in this photo it proves nothing. I also know of no film footage showing her entering the hospital.

¹⁴⁵ p. 287.

¹⁴⁶ p. 457.

¹⁴⁷ p. 251.

¹⁴⁸ p. 254.

¹⁴⁹ Footnote, p. 255.

¹⁵⁰ Footnote 1, p. 257.

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Yarborough specifically described a "young serviceman" in uniform. Newman was a veteran, but was in civilian clothes that day. Ed Hoffman, he says, could not have seen what he claims, because "his view...was blocked" by "four large railway freight cars."¹⁵¹ Unfortunately for this argument, the freight cars don't appear in the photos by Altgens, Willis and others taken just after the shots, and he doesn't identify the photographs which he alleges support his claim. He adds that the view was obstructed by a billboard, which Mel McIntire's photos show was at the wrong angle to obstruct the view from Hoffman's location. Finally, he reports that obstructing "foliage was as dense in 1963 as it is today,"¹⁵² a statement not supported by the 1963 photos; again, he cites no photographic sources. He also dismisses (more credibly) statements by Malcolm Summers, Roger Craig and Tom Tilson.¹⁵³

SMOKE: Posner also works hard to discredit the "puff of smoke" witnesses¹⁵⁴, saying "modern ammunition is smokeless," (though accounts of the 1978 acoustics tests mentioned seeing smoke from the rifle firing, there was a wind blowing, and it was probably steam.

UMBRELLA MAN: Posner accepts the HSCA decision that Louie Steven Witt was the "umbrella man,"¹⁵⁵ despite the fact that he doesn't look like him, described his actions in a way that contradicts the photo evidence (for which Posner takes Jean Hill to task), and identified an umbrella that was clearly not the one in Dealey Plaza on November 22, 1963. He quotes Professor David Wrone as referring to "old-fashioned nut books, like the umbrella man,"¹⁵⁶ though Wrone's own presentations are error-ridden.¹⁵⁷

OSWALD AFTER: Posner has Oswald descending the stairs¹⁵⁸, apparently unaware of Mary Hollies' account saying she saw him on an elevator.¹⁵⁹ Posner next has Oswald seen by Officer Baker through the window in the door on the second floor, and "was 'hurrying' through a second door, which would have let him enter the office and conference area."¹⁶⁰ If, in fact, that was the door Oswald was "hurrying" through, their confrontation would have taken place in the office area; but Oswald was just going through the door to the second floor lunchroom, and that was where Baker confronted him. It is possible, as argued by Howard Roffman¹⁶¹, that Oswald was coming from the office area. Posner avoids the question of whether Oswald had purchased a Coke prior to the encounter, but neither the official scenario or Roffman's makes it likely Oswald did so. Posner then suggests that Oswald's offering his taxicab to an elderly woman was a sign of his impatience rather than an indication he was in no great hurry.¹⁶² When he is describing people's states of mind, Posner has a tendency to use "apparently" and "must have" quite a bit. He dismisses the account of the police car at Beckley by arguing that Earlene Roberts made up the story,¹⁶³ but accepts her account that he got his jacket, saying it was "to hide the revolver."

PLAZA AFTERMATH: Posner dismisses accounts of encounters with Secret Service agents in the Plaza as cases of mistaken identity.¹⁶⁴ He simply states that "no evidence of a shooter" was

¹⁵¹ p. 258.

¹⁵² Footnote, p. 258.

¹⁵³ pp. 258-60.

¹⁵⁴ pp. 255-6.

¹⁵⁵ p. 260.

¹⁵⁶ p. 469.

¹⁵⁷ Sudbury Ontario JFK Symposium, Aug. 21, 1993.

¹⁵⁸ p. 264.

¹⁵⁹ Hollies in Oxford, op. cit., p. 23.

¹⁶⁰ p. 265.

¹⁶¹ Presumed Guilty, p. 220.

¹⁶² Footnote, p. 268.

¹⁶³ Footnote, p. 268.

¹⁶⁴ p. 269.

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found on the grassy knoll, ignoring Holland's (and others') testimony of footprints and cigarette butts by the fence, and mud on a car bumper. He regards the issue of the three tramps resolved by the identifications in February 1992¹⁶⁵, but eleven arrest reports were found for the railroad yards, and it is not clear the three publicized were the "famous" three photographed by newsmen. He also states that "the conspiracy press suddenly and quietly abandoned the issue,"¹⁶⁶ but this is nonsense.¹⁶⁷ He also attributes the Chauncey Holt-Charles Harrelson tramp story to the Globe tabloid¹⁶⁸, instead of to the researchers who surfaced the story the previous year at the Dallas A.S.K. conference.¹⁶⁹

DEPOSITORY EVIDENCE: Posner skips over the question of why the paper bag doesn't appear in the police photographs.¹⁷⁰ He provides an interesting discussion of the Oswald prints lifted from the boxes in the "sniper's nest,"¹⁷¹ and of those on the rifle.¹⁷² He fails to mention, however, that the palmprint found on the rifle was an old one, definitely not put there on November 22¹⁷³, and that the print is not where a print would result from assembling the rifle.¹⁷⁴ He repeats the myth that police gathered "every one of the Depository's employees on the first floor. The only one missing was Lee Oswald."¹⁷⁵ This is pure nonsense, as several Depository employees had already been taken in by police for questioning, including Danny Arce, Bonnie Ray Williams and Charles Givens.¹⁷⁶ Others were still outside the TSBD building at the time.¹⁷⁷ Finally, the roll call referred to was apparently the second attempt, and not held until after Oswald's arrest.¹⁷⁸

TIPPIT: Posner accepts the official version of the Tippit shooting.¹⁷⁹ He glides over contradictory evidence of Oswald speaking to Tippit through the open passenger side window of the police car (which was closed) by referring instead to "the open vent window."¹⁸⁰ He cites 1:15 as the shooting time, giving Oswald plenty of time to get there, by saying Bowley and Benavides used the police radio "immediately" to call in a report¹⁸¹, but Bowley, who arrived after the shooting, reported the time as 1:10 (he looked at his watch when he arrived).¹⁸² This is consistent with the account of Benavides, who reported waiting "a few minutes" before going to Tippit's car; he then fumbled with the radio, unable to operate it, before Bowley came over and made the call.¹⁸³ Helen Markham identified the time as 1:06 or 1:07, as she was on the corner waiting for the 1:15 bus (four witnesses put the shooting as early as 1:00).¹⁸⁴ Posner seems to

¹⁶⁵ pp. 272-3.

¹⁶⁶ p. 273.

¹⁶⁷ Examples of later coverage include William Kelley, "Meet Chauncey Holt," The Third Decade, v. 9 #1, November 1992; and a group of articles in Dateline: Dallas, v. 1 #4, Winter 1993. There was also a discussion of this issue at the October 1992 ASK conference in Dallas.

¹⁶⁸ pp. 467-8.

¹⁶⁹ And later in their book: John Craig and Philip Rogers, The Man on the Grassy Knoll (1992).

¹⁷⁰ pp. 269, 272.

¹⁷¹ pp. 270-1.

¹⁷² p. 283.

¹⁷³ Rusty Livingstone, Dallas Police Crime Lab, at 1992 Chicago Midwest Third Decade Conference.

¹⁷⁴ Dr. Roger McCarthy (Failure Analysis), "Trial of the Century," op. cit.

¹⁷⁵ p. 272.

¹⁷⁶ As photographs and film sequences show.

¹⁷⁷ Jim Marrs, Crossfire, p. 314, citing reporter Kent Biffle.

¹⁷⁸ *ibid.*

¹⁷⁹ pp. 273-4.

¹⁸⁰ p. 274.

¹⁸¹ Footnote, p. 275.

¹⁸² CE 2003, p. 11.

¹⁸³ Henry Hurt, Reasonable Doubt, p. 142.

¹⁸⁴ *ibid.*, p. 144.

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prefer the convenient version over the probable one. He cites the Warren Commission testimony suggesting there would be no witness-related motive for the January 1964 shooting of Reynolds¹⁸⁵, failing to note that Reynolds' earlier account differed from the one he gave, post-shooting, to the Commission. He states "there is no credible eyewitness testimony that undercuts the evidence that Oswald was the shooter,"¹⁸⁶ dismissing those who gave a different description of the shooter and reported a second man with him.

MISSED STORIES?: Posner states¹⁸⁷ that the young man who directed NBC newsman Robert McNeil to a telephone was Oswald, but McNeil¹⁸⁸ is skeptical of this, and the man mentioned by Oswald is most likely local newsman Pierce Allman, who was also directed to a phone inside the Depository about the same time, and identified Oswald as the man who directed him¹⁸⁹. Posner also states that when WFAA cameraman Ron Reiland filmed Oswald's arrest inside the Texas Theater, "nothing developed." Although the film was underexposed, it still exists, and was included on the videotape "Films From the Sixth Floor."

PARKLAND: Although Posner is correct that Dr. Bill Midgely "has never before spoken publicly,"¹⁹⁰ but his account was included in Dr. Charles Crenshaw's book, which Posner mentions in his bibliography. Posner fails to acknowledge the possibility that the damage to Kennedy's shirt collar and tie may have resulted when the nurses cut off his clothing.¹⁹¹ He states the throat "wound was obliterated" by the tracheotomy¹⁹², but Dr. Perry stated he only extended it, and the wound margins are visible in the autopsy photos. He says Darrell Tomlinson "was not certain from which [stretcher] the bullet had dropped,"¹⁹³ but Tomlinson's description of the stretcher from which the bullet came didn't match Connally's stretcher; Posner also accepts that the bullet was CE 399, though Tomlinson's and O.P. Wright's descriptions of it don't match CE 399.

TAKING THE BODY: Removing the President's body, he says, was President Lyndon Johnson's idea¹⁹⁴, authorized by Dr. Charles Baxter, who is quoted as holding the absurd view that "the President was above state laws," and describing eminent forensic pathologist Earl Rose as "a sensationalist" who "would have missed points that have since come up."¹⁹⁵ Ironically, Dr. Rose was one of the leading pathologists later chosen for the Forensics Panel of the HSCA (which Posner later states had "vast experience in gunshot wounds"¹⁹⁶), to evaluate the Bethesda autopsy. Posner seems willing to smear Dr. Rose, to help justify removal of the President's body, but no one else seems to hold Dr. Baxter's apparent low opinion of Dr. Rose, whom even Baxter admits was "experienced and good." His qualifications certainly exceeded those of the doctors who did perform the autopsy, as Posner's account confirms.¹⁹⁷

AUTOPSY: Though Posner concedes the lack of qualifications of the pathologists for doing a forensic autopsy, he quotes Dr. Michael Baden as saying that in 1963 "most people mistakenly

¹⁸⁵ Footnote, p. 277.

¹⁸⁶ Footnote 1, p. 278.

¹⁸⁷ Footnote, p. 245.

¹⁸⁸ In his autobiography *The Right Place at the Right Time*, not in Posner's bibliography.

¹⁸⁹ CD 354, cited in Sylvia Meagher, op. cit., p. 75 (footnote 2).

¹⁹⁰ p. 287.

¹⁹¹ Footnote, p. 288.

¹⁹² p. 289, and repeated on p. 305.

¹⁹³ Footnote, p. 294.

¹⁹⁴ p. 294.

¹⁹⁵ p. 295.

¹⁹⁶ p. 304.

¹⁹⁷ p. 300.

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thought a pathologist was a pathologist."¹⁹⁸ This begs the question of whether such ignorance extended to Dr. Burkley, the President's personal physician, and other officials involved. Dr. James Humes, who has tended to refuse interviews to researchers, gave one to Posner.¹⁹⁹ Posner refers to "an oft-repeated story of an FBI photographer, without any prior autopsy experience, who allegedly took the photographs,"²⁰⁰ but cites no source for this "oft-repeated story," which I have encountered nowhere in the literature. Posner quotes Humes as saying no one interfered with the autopsy, ignoring Dr. Finck's New Orleans testimony that there was interference,²⁰¹ only making a brief reference to this testimony 146 pages later.²⁰²

NECK & BACK WOUNDS: He flatly states that the Bethesda doctors "did not know there was an exit hole in the front of his neck,"²⁰³ though Dr. Burkley, who attended the autopsy, was aware of the neck wound, and nurse Audrey Bell reported calls from Bethesda to Dr. Perry "in the middle of the night" regarding the wound; and Dr. Robert Karnei said "I was convinced they talked to somebody that night...Pierre Finck, I think, talked to somebody".²⁰⁴ He avoids discussion here of the back wound, referring to it only much later in passing when discussing Edward Epstein's book Inquest: "the FBI's report to the Commission indicated the bullet...only penetrated a short distance and did not exit," adding that the HSCA "confirmed that the FBI report was simply mistaken."²⁰⁵ Again, Posner betrays the reader's trust. It was the autopsy doctors who reported the back wound was shallow and they were unable to probe it more than a short distance, a comment duly noted by the FBI agents present, Sibert and O'Neill. Posner implies the source was the multi-volume summary report filed by the FBI. In addition, personnel present reported that, looking inside the chest, they could see the effect of the probe, unable to penetrate into the pleural cavity.²⁰⁶

HEAD WOUND: Posner makes a strong argument against the idea of a rear exit wound in the head²⁰⁷, but in the process argues that the Zapruder film clearly shows no rear exit (though the rear of the head is in shadow, the best copies of frames 316 and 317 seem to show a cratering in the rear of the head), and the Parkland doctors told "Nova" in 1988 that the autopsy photos show what they saw (though their hands still went to the rear of their heads when they were asked to describe the location of the wounds; they explained the apparent contradiction by suggesting that a flap of skin had been pulled up in the rear head photos, an idea Posner dismisses with a quote from Dr. Michael Baden²⁰⁸). He quotes Dr. Jenkins' suggestion that Dr. McClelland's opinion has been influenced by his friendship with critic Robert Groden.²⁰⁹ He also levels a strong attack on Dr. Charles Crenshaw²¹⁰, falsely stating that Crenshaw was only in Trauma One for "a few minutes near the end," quoting critical comments by his colleagues, including an anonymous "close Crenshaw friend" who describes him as "over the hill." He also seems unaware that holes in a skull, with "beveling" can be caused without a bullet entry or exit in that location, as the result of explosive damage to the skull blowing out weak spots.²¹¹

¹⁹⁸ Footnote, pp. 300-301.

¹⁹⁹ Footnote, p. 301.

²⁰⁰ p. 302.

²⁰¹ Footnote, p. 304.

²⁰² p. 450.

²⁰³ pp. 304-5.

²⁰⁴ Harrison Livingstone, High Treason 2, pp. 121, 186.

²⁰⁵ p. 416.

²⁰⁶ An example is the account of James Jenkins in High Treason 2, op. cit., p. 303.

²⁰⁷ pp. 307-14.

²⁰⁸ Footnote, p. 310.

²⁰⁹ p. 313.

²¹⁰ pp. 313-14.

²¹¹ Dr. Roger McCarthy (Failure Analysis), "Trial of the Century," op. cit.

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PHOTO SECTION: Posner describes a photo of Oswald taken in the New Orleans courthouse as "unpublished." It is, in fact, a frame from the Johann Rush WDSU-TV film footage which has appeared in a number of videotapes. In addition, Rush published the frame in his own assassination newsletter. He describes the Moorman photo as having been taken "before the fatal head shot," though it more likely coincides with frame 314, one frame after the head shot. For the most part, the photo section avoids photographs cited in the text and footnotes in support of particular information. The photo of General Walker's house is misleadingly used to support an inaccurate statement about it (see above, "The Walker Shooting.").

COMPUTER ENHANCEMENT: Posner states that he relied on "computer enhancements" of the Zapruder film, including "one done by Dr. Michael West...with Johann Rush," though what West and Rush did was a videotape using the film, not a computer enhancement of the film.²¹² The other is by Failure Analysis Associates, whom he fails to mention did two computer studies, one "proving" Oswald did it alone, and one "proving" conspiracy, as a promotional gimmick at a conference of the American Bar Association in 1992.

ZAPRUDER FILM ANALYSIS: Posner repeats that Kennedy is raising his right arm at frame 225²¹³, though the film clearly shows that the arm is coming down from a wave, something Posner himself admits at another point.²¹⁴ He argues, reasonably, that the first shot missed²¹⁵, but is apparently only aware of one witness, Virgie Rachley, who saw it hit Elm Street²¹⁶, though one of his sources, Jim Moore, and another recent book²¹⁷ both catalog a number of witnesses to the impact. When Mrs. Kennedy turns to her right, Posner assumes she is turning toward the Book Depository rather than toward her husband,²¹⁸ an indication of his willingness to interpret evidence to fit his thesis. Along the same lines, he quotes his 1992 interview with James Tague, who says he doesn't recall which shot caused his wound²¹⁹, though earlier Tague told the Warren Commission: "I believe that it was the second shot," as he recalled it happened after the firecracker sound of the first shot, and he recalled hearing another shot after it happened.²²⁰ He accepts that the Single Bullet Theory is correct, with the shot hitting at frame 223-4.²²¹ He notes that Failure Analysis' "cone" projection centers on the 6th floor Depository window²²², but fails to add that the cone includes windows of the Dal-Tex Building across the street. Posner discusses the HSCA neutron activation analysis²²³, but fails to report Dr. Guinn's comment that the fragments he tested were the not same ones tested by the FBI in 1964²²⁴, raising the possibility of substituted fragments from the lead taken by the FBI from CE 399, which would, of course, match CE 399. He also refers to two fragments removed "from the President's brain," which were actually removed from the President's scalp (as can be seen in the preliminary X-rays, unpublished by Posner): the brain particles were so small as to be dust-like, and none were removed.

IN CUSTODY: Posner uses a quote from Jim Leavelle to remind us of Oswald's "smirk."²²⁵

²¹² West and Rush, "Confirmation of the Single Bullet Theory" (1992).

²¹³ pp. 319, 326.

²¹⁴ pp. 327-8.

²¹⁵ pp. 320-6.

²¹⁶ p. 324.

²¹⁷ Bonar Menninger, Mortal Error, cited in Posner's notes (p. 554) but not included in his bibliography.

²¹⁸ p. 322.

²¹⁹ p. 325.

²²⁰ 7H 555.

²²¹ pp. 328-35.

²²² p. 335.

²²³ pp. 340-2.

²²⁴ HSCA v. 1, pp. 561-2.

²²⁵ p. 345.

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ATTORNEY: Posner suggests Oswald had opportunities for counsel, but turned them down²²⁶, though John Abt (who Posner says "missed the opportunity") made it clear to newsman that he wouldn't take the case, and the ACLU attorney (Oswald had indicated the ACLU as his second choice, for the reason Posner reported earlier²²⁷: he thought they would be free) was told by police, not by Oswald, that he didn't want an ACLU attorney.²²⁸ Posner cites the testimony of the ACLU attorney, but very selectively, again leaving the wrong impression by selective presentation of testimony. By following with a quote from Louis Nichols, Posner implies that it was Oswald who declined in both instances. He then quotes Bill Alexander's concern that Oswald might get an attorney too quickly²²⁹.

MARINA: Posner says: "She has lived in Texas since the assassination and has been bombarded by the buffs for nearly three decades."²³⁰ In fact, for many years, Marina was under the influence of Warren Commission apologist Priscilla Johnson McMillan, author of Marina and Lee. Her husband Kenneth Porter has stated that Marina was "under the control" of McMillan until at least 1978.²³¹ As an example of her "susceptibility" to "conspiracy buffs," Posner cites the 1981 exhumation of Oswald in response to the theories of Michael Eddowes, which he implies she accepted. In fact, Marina sought the exhumation to prove Eddowes wrong²³², which was, in fact, the outcome.

RUBY'S TIES: Posner explodes some of the myths about Ruby, and provides a detailed chronology of Ruby's movements Nov. 21-24,²³³ but concedes that police downplayed Ruby's relationship with the Dallas Police.²³⁴ He is a bit too quick to accept Ruby's explanation that his Cuba trips were "solely for pleasure."²³⁵ He also dismisses reports of Ruby's involvement in narcotics and prostitution, and accepts the statements of Tony Zoppi and Bill Alexander that Ruby "was not a gangster."²³⁶ He avoids more than superficial reference²³⁷ to Ruby's relationship with Dallas' number two Mob boss Joe Campisi, who was one of Ruby's first visitors after his arrest for shooting Oswald, and identifies Campisi only as "evidently associated with a host of leading mobsters." He suggests, somewhat convincingly, that the reports linking Oswald and Ruby are pretty thin.²³⁸

RUBY AT PARKLAND: He is less convincing when saying of Ruby's visit to Parkland Hospital that "no one saw him except [Seth] Kantor," then dismissing Wilma Tice's report in a footnote²³⁹,

²²⁶ Footnote, p. 347.

²²⁷ Footnote, p. 206.

²²⁸ 7H 323, Testimony of Gregory Olds: "Captain King...assured us that Oswald had not made any requests for counsel" and "Justice of the Peace David Johnston...assured us...he had declined counsel."

²²⁹ p. 347.

²³⁰ Footnote, p. 345.

²³¹ 1993 Sudbury Ontario conference.

²³² Associated Press in Detroit Free Press, Nov. 25, 1980: "The widow...said Monday she wonders what powers are preventing authorities from exhuming the body in her late husband's grave to disprove a theory that the corpse is that of a Soviet imposter"; Newsweek Sept. 15, 1980: "'The man I married is the man I buried,' insisted Marina Oswald Porter...Marina wants to settle the matter once and for all"; also AP & UPI in Detroit Free Press Aug. 15, 1980; her only concern, based on recently released Warren Commission documents, was that the body might have been illegally removed from the grave (UPI in Saginaw News, April 5 and Aug. 11, 1981).

²³³ pp. 366-97.

²³⁴ Footnote, p. 359.

²³⁵ Footnote 2, p. 360.

²³⁶ p. 361.

²³⁷ Footnote p. 368.

²³⁸ Footnote, p. 369.

²³⁹ p. 373.

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and apparently unaware that Ruby was also seen there by radio newsman Roy Stamp who knew Ruby and saw him enter carrying equipment for a TV crew.²⁴⁰ He finds the Warren Commission refutation of Kantor's testimony inaccurate, however, and ultimately concludes that Ruby did visit Parkland innocently.²⁴¹

RUBY ON JFK: He cites an FBI interview with a Carousel Club hostess²⁴² and the testimony of Ruby's sister²⁴³ to establish that Ruby "had great admiration for the Kennedy family" and was happy JFK was appointing Jews to prominent positions, but Beverly Oliver, a Colony Club entertainer who often hung out at the Carousel Club, and considered Ruby a friend, reports "Ruby despised JFK."²⁴⁴ His political awareness can be gauged by the fact that he didn't know who Earl Warren was, except that he "was someone prominent in government."²⁴⁵ Later, Posner cites the fact that Ruby had a picture of JFK in his cell, and kissed it daily, as evidence of mental derangement.²⁴⁶

RUBY AT THE POLICE STATION: Again, Posner cites a photo to make a point, that Ruby had a gun there on Friday evening, but doesn't include it in his photo section, nor describe it more specifically than to say "taken in the third-floor corridor that night."²⁴⁷ When he saw Oswald, says Posner, "Ruby thought Oswald was smirking,"²⁴⁸ his chapter note citing the testimony of Ruby and of Arthur Watherwax (a Dallas Morning News printer)²⁴⁹. The "smirk," which reportedly made such an impact on Ruby, isn't mentioned in Ruby's account of the event, but only by Watherwax--in fact, nothing from that sentence comes from Ruby's cited testimony, leaving one to wonder why it is cited, except to mislead the reader. Posner disagrees with the Warren Commission, and affirms that Ruby was back at the police station Saturday afternoon.²⁵⁰

RUBY THE STALKER: On one hand, Posner portrays Ruby as probably stalking Oswald²⁵¹, but with some hesitation.²⁵² On the other hand, he portrays Ruby as making plans which indicate he didn't expect to be in custody,²⁵³ and dismisses accounts of an early arrival at the police station on Sunday (again, he refers to photographic evidence which he doesn't include in his photo section, but at least he is specific in describing the source: KRLD-TV reel 13).²⁵⁴ At the same time, Posner indicates Ruby expected a quick release from the jail.²⁵⁵

HOW RUBY ENTERED: Posner notes several ready access points to the jail basement prior to the shooting of Oswald,²⁵⁶ but concludes that Ruby entered down the Main Street ramp,²⁵⁷ citing a witness who saw him near the bottom of the Main Street ramp shortly before the execution style

²⁴⁰ Videotape of Roy Stamp speaking to Jim Marrs' class.

²⁴¹ p. 374.

²⁴² p. 375.

²⁴³ p. 376.

²⁴⁴ 1993 Sudbury Ontario conference; asked later to elaborate, she said Ruby didn't like Joe Sr., JFK or RFK, but thought Jackie was "classy"; she said she and Jack argued about the Kennedys.

²⁴⁵ Footnote 3, p. 388.

²⁴⁶ p. 401.

²⁴⁷ Footnote, p. 379.

²⁴⁸ p. 379.

²⁴⁹ p. 566, note 96.

²⁵⁰ p. 386.

²⁵¹ pp. 385-6.

²⁵² Footnote, p. 379.

²⁵³ pp. 388, 390; footnote 1, p. 394.

²⁵⁴ Footnote, pp. 391-2.

²⁵⁵ p. 399.

²⁵⁶ Footnote, p. 393.

²⁵⁷ p. 395, footnote pp. 395-6.

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the credibility of the Warren Report,²⁷³ but passes by the question of what effect the lack had on the Report's accuracy. He does summarize some of the flaws in the investigation.²⁷⁴

RESPONSES: Posner notes that the Warren Report was praised in the U.S., but says "Many leading European commentators questioned its conclusions without ever reading the report,"²⁷⁵ omitting the fact that most of those who praised the Report in the U.S. also hadn't read it, much less the 26 volumes of evidence.

THE CRITICS: He ignores Sylvan Fox, author of a 1965 critical book, moves Harold Weisberg's 1965 book to 1966, and relies on G. Robert Blakey for quotes about the critics' work.²⁷⁶ His criticisms of Mark Lane are relatively on the mark,²⁷⁷ but he includes among the "rash of books [that] appeared on the heels of Lane's success" several authors who were writing their books before Lane's was published.²⁷⁸ He provides an interesting discussion of critics' involvement with the Garrison investigation²⁷⁹, but also seems to blame them for Garrison's persistence in the case,²⁸⁰ yet correcting blatant errors.²⁸¹ He correctly criticizes researchers for the incestuous repetition of each other's errors, using a quote from David Perry.²⁸² He approvingly quotes Bill Alexander as saying: "No one wants to hear what really happened because it would be the end of their very profitable little business," though Posner concedes there are exceptions, for which he offers psychological explanations from Henry Steele Commager and William Manchester (neither, of course, psychologists).²⁸³ Oswald acted alone, says Posner, and "To say otherwise, in light of the overwhelming evidence, is to absolve a man with blood on his hands, and to mock the President he killed."²⁸⁴ This, of course, has the tone of a lawyer's summation: rhetoric, but no real content.

TIME-LIFE AND THE Z-FILM: Posner states Time-LIFE purchased the film "for a reported \$250,000,"²⁸⁵ though Richard Stolley's most recent account of the purchase gives the more accurate figure of \$150,000,²⁸⁶ also the one generally reported in the literature. Posner cites no source for the higher figure. He does comment on the Zapruder family's active commercialization of the film.

COVER-UP: Posner discusses the obstacles placed in the way of Freedom of Information Act requesters, especially by the FBI.²⁸⁷ He implies that the attempt to get a Congressional investigation in 1966 was "overshadowed by another event that had started in July 1966,"²⁸⁸ waiting another 10 pages²⁸⁹ to inform the reader that the "event," the Garrison investigation, didn't become public knowledge until mid-February 1967.

²⁷³ p. 409.

²⁷⁴ pp. 409-412.

²⁷⁵ p. 412.

²⁷⁶ p. 414.

²⁷⁷ p. 415, including footnote.

²⁷⁸ Richard Popkin, Raymond Marcus, Leo Sauvage and Penn Jones Jr.

²⁷⁹ pp. 442-3, including footnote.

²⁸⁰ p. 446.

²⁸¹ Footnote, p. 448.

²⁸² p. 466.

²⁸³ p. 470.

²⁸⁴ p. 472.

²⁸⁵ Footnote, p. 418.

²⁸⁶ "The Zapruder Film: Shots Seen Round the World: A journalist's behind-the-scenes story of the most historic home movie ever," *Entertainment Weekly*, Jan. 17, 1992.

²⁸⁷ pp. 420-1.

²⁸⁸ p. 422.

²⁸⁹ p. 432.

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GARRISON: Posner launches a broad-based attack on Garrison's character, describing him as a prosecutor who sought headlines but rarely followed through with prosecutions,²⁹⁰ gave aid and comfort to Carlos Marcello,²⁹¹ and was lazy.²⁹² Posner doesn't explain why, if Garrison had been corrupted by Marcello, he began his JFK probe by focusing on a man associated with Marcello, David Ferrie.²⁹³ Garrison's alleged unethical case-building techniques are discussed.²⁹⁴ He repeats an allegation that Garrison tried to molest a 13 year old boy, a charge made by an [unidentified] "prominent New Orleans attorney."²⁹⁵ He outlines Garrison's contradictory "media blitz,"²⁹⁶ painting Oswald as a Nazi, when elsewhere he described him as a scapegoat²⁹⁷ or hero, and his retaliatory legal actions.²⁹⁸ His "blocked extraditions" are discussed (see below, "Myths" 38-9). He is portrayed as paranoid,²⁹⁹ and one such tale is attributed to Layten Martens, though no clue is provided as to how Martens came to learn of it, as it doesn't appear he was present when it happened. He cites James Phelan as his source for the statement that Garrison knew of Charles Spiesel's background before Spiesel took the stand over his staff's objection³⁰⁰, but Phelan's sources on this turn out to be Clay Shaw and an anonymous "Garrison aide's" confirmation.³⁰¹ Posner notes the damaging impact the case had on the critical community's credibility at the time.³⁰²

MYTHS LIST: He provides his own list of Garrison "myths"³⁰³, but doesn't explain why they are myths: Roger Craig's account of the Rambler picking up Oswald or a lookalike; odds-beating witness deaths³⁰⁴; Ferrie and Banister both knew Oswald³⁰⁵; Ruby and Oswald knew each other and both were CIA; Oswald's Fair Play activities were an intelligence front; second Oswald in New Orleans; the rifle was planted in the Depository 20 minutes after the assassination; Ruby was injected with cancer cells; and Rose Cheramie predicted the assassination.³⁰⁶

FERRIE: Posner offers some interesting new information on Garrison's version of Ferrie v. reality³⁰⁷, but too quickly dismisses the idea that Ferrie may have been a backup pilot for a conspiracy, simply on the grounds that Ferrie's own plane wasn't airworthy (could he not have flown another?). He reports the coroner's finding that Ferrie died of "a berry aneurysm," then

²⁹⁰ pp. 423-6.

²⁹¹ pp. 426-7.

²⁹² p. 427.

²⁹³ p. 428.

²⁹⁴ pp. 433-7, 439-41, 447.

²⁹⁵ Footnote, p. 438.

²⁹⁶ pp. 442-3, 448.

²⁹⁷ p. 451.

²⁹⁸ p. 443, 450.

²⁹⁹ pp. 448-9.

³⁰⁰ p. 450.

³⁰¹ James Phelan, Scandals, Scamps and Scoundrels, p. 174.

³⁰² p. 453.

³⁰³ p. 446.

³⁰⁴ He doesn't mention that this is based on a London Sunday Times study which was later retracted as having been based on bad methodology which greatly inflated the figures (figures also later used at the end of the film "Executive Action".)

³⁰⁵ Proven a myth, apparently, in his mind, but not so certain to most researchers.

³⁰⁶ He says Cheramie didn't mention the assassination plan until Nov. 25, relying on a statement by Dr. Victor Weiss to HSCA investigators that he heard nothing about it until then; Dr. Weiss also said, however, that a colleague, Dr. Bowers, reported Cheramie's pre-assassination statements on the subject; Posner also ignores the statement of the first person to hear Cheramie discuss the matter, state police Lt. Francis Fruge (Summers, Conspiracy, op. cit., note 83, pp. 591-2; Hurt, Reasonable Doubt, op. cit., pp. 411-12).

³⁰⁷ pp. 428-9.

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adds (again without a source) that "forensic pathologists again confirmed the results in 1992."³⁰⁸ He off-handedly suggests a connection between Ferrie and Carlos Bringuier, who reportedly spoke with Ferrie two days before Ferrie's death.³⁰⁹

DEAN ANDREWS: There doesn't appear to be much left of Andrews' tales when Posner finishes with him, describing him as a stoned, amoral publicity hound: "Be my guest. I'll swear to anything."³¹⁰ On the other hand, Posner says of Andrews' mention of Manuel Garcia Gonzales: "There was no such person," but a photo of Gonzales was published in Cover-Up.³¹¹

CLAY SHAW: Garrison's initial dismissal of Shaw's importance is noted,³¹² and his later renewal of interest.³¹³ Posner argues that Shaw was innocent,³¹⁴ a conclusion that remains controversial in the research community.

GORDON NOVEL: Posner seems to accept Novel simply as "an anti-eavesdropping expert,"³¹⁵ saying "He was not [CIA],"³¹⁶ though noting that "Novel knew Ferrie and claimed to have knowledge of his anti-Castro connections." He says Novel believes Garrison's staff forged the Ferrie "suicide note."³¹⁷

MOB ROLE?: Posner discusses the Mob-did-it theory³¹⁸, after noting Robert Blakey's background.³¹⁹ To discredit Edward Becker's account of a threat by Carlos Marcello, he reports that "another man present, Carl Roppolo, denied Marcello ever said anything like that, and was not even sure there was a meeting with Becker." He fails to mention that, according to a book he cites on the previous page, Carlo Roppolo was "a close personal friend whom [Marcello] had known since childhood," and also erroneously attributes Roppolo's oil additive scheme to Becker.³²⁰ Somewhat more impressive is the explanation by "former New Orleans police intelligence chief" Hubie Badeaux.³²¹ Posner dismisses the account by Frank Ragano.³²² He mentions Marcello and Trafficante's refusal to kill Frank Fitzsimmons, but fails to mention that Fitzsimmons was a gold mine for the Mob, and more cooperative than Hoffa had been. He cites Chicago FBI agent Bill Roemer's statement that there was no evidence from surveillance tapes to indicate the Mob knew anything about the assassination.³²³

ROSCOE WHITE: Posner provides a truncated and misleading account of the Roscoe White story³²⁴, focusing only on the missing diary and allegedly forged documents, but ignoring some of the more interesting, authentic aspects of the story.

CORSICANS?: Posner dismisses the Christian David story, accepting alibis which have come

³⁰⁸ pp. 435-6.

³⁰⁹ p. 436.

³¹⁰ pp. 429-31.

³¹¹ Shaw and Harris, op. cit., p. 164.

³¹² pp. 431-2.

³¹³ p. 437.

³¹⁴ p. 451, including footnote.

³¹⁵ p. 435.

³¹⁶ Footnote 2, p. 435.

³¹⁷ Footnote 3, p. 435.

³¹⁸ pp. 458-66.

³¹⁹ p. 456.

³²⁰ John Davis, Mafia Kingfish, p. 119.

³²¹ p. 461.

³²² pp. 462-3.

³²³ pp. 463-4.

³²⁴ p. 468.

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into question.³²⁵ The alleged assassin Posner states was "in the French army" was said to have been in the French navy, and his whereabouts around the time of the assassination are not clearly established. There is some question, also, as to whether the one "in prison" was able to come and go as a result of corruption.

FILMS: Posner states that the film "Winter Kills" traces the assassination back to the Mafia³²⁶, though in fact it traces responsibility ultimately to the President's father!

FILES: He cites, without comment, Robert Blakey's statement that "I know everything in those files,"³²⁷ despite his apparent lack of awareness of organized crime-related documents later cited by John Davis, and comments by HSCA staff that the CIA "delayed in every way possible" and obstructed access to files.³²⁸ Blakey is also said to have declined access to certain groups of CIA files.

APPENDIX A: THE BALLYHOO OF ASSASSINATION:

THE CONE OF SCIENCE: Posner portentously announces that "Today, the ballistics can be subjected to advances in computer analysis...the source of the shots can be determined with precision. The following graphics are based on forensic evidence analyzed by these new techniques..."³²⁹ Trajectory studies were, of course, done for the Warren Commission, and (by NASA) for the House Select Committee on Assassinations. No matter where the wounds are located, the trajectories always seem to find their way back to the general area of the Book Depository upper floors. Of course, the "precision" trajectory determined here with "these new techniques" results in a cone that includes 5 of the Depository's 7 floors, three vertical rows of windows, and upper windows of the Dal-Tex Building across the street (unlike the original, more honest, Failure Analysis graphics presented by Dr. Robert Piziali³³⁰, this version deals with the problem by simply omitting the Dal-Tex Building, lest the reader become "confused" by all the facts).³³¹ Also, the smaller cone only works if the reader accepts the "single bullet" and Posner's choice of Zapruder frames for the moment when it impacted.

VIEW WITH CAUTION: The graphics are no more reliable than the information on which they are based, and it is useful to recall the cautionary computer rule, "Garbage in: Garbage out." Posner again refers misleadingly to analyses of the Zapruder film as "enhancements."³³² Here, as in the photo section (where the FBI pulled the same trick), he shows a "gunsight view" which makes the shots look easy, but fails to mention that the shooter has to move his eye from the gunsight every time he operates the bolt, so there is no steady gunsight view.³³³

THE MYSTERY MARKSMAN: In briefly mentioning the ammunition³³⁴, he fails to offer an explanation why Oswald chose bullets designed (due to the Geneva Convention) to wound instead of kill, when more destructive bullets could have been used, or the Carcano bullets modified to be more destructive. In discussing the rifle, he notes that "Oswald was proficient with an M-1

³²⁵ p. 468.

³²⁶ Footnote 1, p. 468.

³²⁷ p. 271.

³²⁸ Summers, *Conspiracy*, op. cit., pp. 520-1.

³²⁹ p. 473.

³³⁰ "Trial of the Century," op. cit.

³³¹ p. 477; Officer Marrion Baker testified that he thought the shots came from one of the two buildings in front of him: the Depository and the Dal-Tex Building.

³³² p. 474.

³³³ Well-illustrated by the scope graphics generated by Failure Analysis and shown during Court TV coverage of "The Trial of the Century," though not introduced into evidence.

³³⁴ p. 474.

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rifle³³⁵," but fails to mention that an M-1 was semi-automatic and required no bolt operation. Posner adds that Oswald "had practiced to become equally effective with the Mannlicher-Carcano." First of all, it is not possible to be "equally effective" with a Mannlicher-Carcano as with an M-1, as a semi-automatic rifle is a more effective weapon. Secondly, the Warren Commission found no evidence that Oswald practiced with the Carcano in any other way except to practice operating the bolt; it dismissed testimony that he practiced at rifle ranges, proving each time that he had been elsewhere. The diagram of the fingerprints leaves one wondering how Oswald put his right index print on a box as part of his "sniper's nest" activities, as opposed to normal work on the 6th floor. In fact, Posner misplaces the boxes in the "sniper's nest," relying on Warren Commission exhibits which misrepresent the scene³³⁶, instead of the more accurate photographic exhibits³³⁷ which are consistent with photographs taken just before and after the shooting from outside the building.³³⁸

FAILURE ANALYZED: He discusses Failure Analysis Associates as if their findings were uniformly supportive of his arguments.³³⁹ He refers only to the work of the team headed by Dr. Robert Piziali, and ignores the work of the team headed by the firm's President, Dr. Roger McCarthy, which was used in Oswald's defense in a 1992 mock trial. As to Dr. Piziali's commitment to Posner's position, Piziali and McCarthy decided which team would work for which side by the flip of a coin. But for chance, Posner would be citing Dr. McCarthy and ignoring Dr. Piziali. Posner again incorrectly refers to "computer enhancements of the Zapruder film"³⁴⁰, when he is talking about computer analysis done, in part, using frames from the Zapruder film as a basis, not "enhancement" of the frames themselves. It sounds impressive that they "fixed the position of the limousine and the postures of Kennedy and Connally at the precise moments of impact," except they fixed the positions at the "precise moments" they were told were the frames of impact. If that information was inaccurate, so is the analysis. Of course, Posner states this is based on "careful analysis," but fails to note this analysis was not done with a computer. Finally, there is one more, somewhat subtler, falsification in the graphic of the Book Depository: it shows only one open window, the "sniper's nest," and that open all the way to the middle. In reality, the window was only one-third open, as shown on the previous page, and was only one of at least 12 open windows in the building at the time of the shots.³⁴¹

MISPROVING THE SINGLE BULLET THEORY: The alert reader will note that the frontal graphic places the back wound to the right of the President's head, while the overhead graphic places it at the edge of the neck.³⁴² The relevant autopsy photo, perhaps too gruesomely inconvenient for Posner's readers, shows the back wound even farther toward the President's left, inconsistent with both graphics. One would think this might have an effect on the trajectory path, but perhaps the graphics were simply intended as a new "cartoon version" of the bullet's path.³⁴³ The overhead view also places the throat wound toward the right side of Kennedy's throat, rather

³³⁵ p. 475.

³³⁶ CE 733, CE 1301

³³⁷ CE 724 (Dallas Police), and the photos taken by journalists Jack Beers and Flip Schulke, and an uncredited UPI photographer. There is, by the way, another manipulated version, in addition to the one used by Posner: it appears in CE 509.

³³⁸ Jack Weaver photo, Robert Hughes film just before; Tom Dillard and James Powell photos just after.

³³⁹ p. 477.

³⁴⁰ p. 477.

³⁴¹ As can be seen in the Dillard and Powell photos, it was one of four open windows on the 6th floor; there were also 4 open on the 5th floor, 2 on the 4th floor, and at least 1 each on the 3rd and 2nd floors. Dillard is particularly important, as it shows an unidentified man in the west end 6th floor open window. Elsie Dorman was shooting movies from one of the open 4th floor windows.

³⁴² pp. 478-9.

³⁴³ The attorneys who presented the Failure Analysis graphics at the 1992 mock trial themselves referred to them as "the cartoons": "Trial of the Century," op. cit.

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than almost exactly at the center, as shown by another of the gruesomely inconvenient autopsy photos.³⁴⁴ A splintered vertebra tip is noted, which is not mentioned either in the report of the original autopsy doctors, who examined the X-rays and were searching for evidence of a path through the neck, or in the 1968 report of the Clark Panel, which examined the X-rays and explicitly reported: "There is no evidence of fracture of either scapula or of the clavicles, or of the ribs or of any of the cervical and thoracic vertebrae." Apparently no one was "expert" enough to notice the damage until the House Committee review in 1978, though they were looking at the original X-rays, and the damage is readily apparent to the casual viewer of the printed versions in the House Committee volume and in books like Mortal Error. WAS this one of the original X-rays? The entrance wound in Connally's back is described as being "1 1/4" long," though according to Dr. Shaw, who operated on the Governor, that was the length of the wound after he cut away tissue from a 1.5 centimeter entry wound. Dr. Shaw didn't believe the wound was made by a tumbling bullet, but Posner cites it as another of the "facts" on which the "precision" graphics are based. So much for the wound being "the exact length of the bullet." Posner says the bullet "shatters fifth right rib," though in fact it simply broke off a four-inch piece of the rib, often cited as the cause of CE 399's flattening. A few pages later³⁴⁵, CE 399 is compared to a Failure Analysis test bullet, which looks pristine after being fired through "a cadaver's wrist," though not after also having damaged a vertebra and breaking off a piece of rib, as Posner argues CE 399 did. The angle of impact on the wrist bone can also affect the amount of damage. The bullet is, in short, hardly "the final physical evidence necessary to prove the single-bullet theory."

ESCAPISM: Oswald's escape is made to appear much simpler by eliminating all of the piles of boxes which numerous photographs show throughout the 6th floor.³⁴⁶ The location of the clipboard is noted: though near the location where the rifle was found, the clipboard wasn't located for more than two weeks: the police search must have been extremely thorough if it took that long to go that short a distance. If Oswald followed the path shown on the 2nd floor, Officer Baker wouldn't have seen him until after he left the lunchroom.³⁴⁷ Posner again misidentifies the newsman directed by Oswald as Robert MacNeil.³⁴⁸

APPENDIX B: THE MAGIC DEATH LIST: Posner correctly discards the ridiculous odds figure erroneously published by the London Sunday Times and endlessly repeated since.³⁴⁹ He also correctly notes that Jim Marrs' expanded death list includes Karen Carlin under two different names as two separate deaths³⁵⁰, although she is still alive (John Davis interviewed her recently³⁵¹), a fact of which Posner is apparently unaware.³⁵² He also properly takes Marrs to task for listing deaths with known and published causes as "unknown,"³⁵³ and for including people with no real connection to the case. His discussion does get a little misleading, however, when his list of "key witnesses" who saw people on the grassy knoll, "all alive," omits the late Lee Bowers; the others either stopped talking for years (Jean Hill, Ed Hoffman) or were afraid to talk for years (Malcolm Summers, Gordon Arnold). Other "fundamental conspiracy witnesses" cited by Posner (Beverly Oliver, Delphine Roberts, Frank Ragano) also waited many years to speak out, until the people affected were all dead. He notes the high incidence of heart attacks³⁵⁴, without noting that heart attacks are relatively easy to induce artificially without leaving a trace

³⁴⁴ The margin of the throat wound is clearly visible in the lower middle of the tracheotomy cut.

³⁴⁵ p. 482.

³⁴⁶ pp. 480-1.

³⁴⁷ As noted above ("Oswald After"), Howard Roffman discusses this in detail in Presumed Guilty.

³⁴⁸ See above, "Missed Stories?"

³⁴⁹ p. 483.

³⁵⁰ Footnote, p. 484.

³⁵¹ The Kennedy Contract.

³⁵² At the October 1992 ASK conference in Dallas, Beverly Oliver mentioned having had recent contact with Carlin.

³⁵³ p. 485.

³⁵⁴ p. 485.

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discernible at autopsy. He refers to the 1970s as "well over a decade after the assassination," though nearly one-third of the seventies was within a decade after the assassination. His descriptions of some of the deceased are also misleading:

***C.D. Jackson:** referred to only as the Life executive "who decided to purchase the Zapruder film," though Richard Stolley notes Jackson decided to purchase all rights to the film, beyond print rights, to prevent it being shown as a film, on grounds of "taste." Posner also fails to mention Jackson's CIA connections.

***Guy Banister:** Posner continues to deny any link to Oswald (but see above, "Guy Banister").

***Paul Mandel:** Posner notes Mandel "wrote a single article on the assassination" for Life, but fails to mention that, at a time when the Zapruder film was not available for viewing, except for those frames published a week earlier by Life itself, Mandel grossly misrepresented the film's contents.

***Mrs. Earl Smith:** Posner said she "had nothing to do with the Kennedy case," unless of course, as Dorothy Kilgallen's closest friend, she knew what new evidence Kilgallen claimed to have uncovered in the case before Kilgallen died very shortly before Smith.

***Jack Ruby:** Posner notes it is difficult to induce cancer, but says Ruby died of a blood clot, which is not at all difficult to induce.

***Hiram Ingram:** Posner uses an opportunity to refer to Roger Craig's "elaborate tale about a phantom getaway car," though photos taken in the Plaza at the time show a vehicle matching the description later given by Craig.

***Dr. Nicholas Chetta:** Posner repeats his unsourced reference to "subsequent" forensic confirmation of Dr. Chetta's findings in the David Ferrie autopsy.

***Charles Montesana:** Posner incorrectly identifies him as "one of several news cameramen who filmed Lt. Carl Day carrying the Carcano rifle out of the Book Depository." Montesana was, in fact, an amateur movie cameraman who filmed police examining another rifle, clearly not the Carcano, near the Depository.

***Abraham Zapruder:** Posner describes him as "uninvolved in the investigation," failing to mention he reported shots came from behind him.

***Charles Cabell:** Posner seems to feel Cabell could not have any connection with the assassination because he "was no longer with the [CIA] at the time of the assassination." Even if the CIA was involved in the assassination, this is insufficient to establish that Cabell was unconnected. He also fails to mention that Cabell's brother was Mayor of Dallas on November 22, 1963, though he mentions the Mayor later on the same page, again without noting a link.

***Clay Shaw:** Posner suggests there is no question about the cause of death, despite the lack of an autopsy.

***Allen Sweatt:** Posner notes he "worked briefly on the case," but fails to mention that Sweatt was tied in with the rumor that Oswald worked for the FBI.

***Ralph Paul:** Described only as "Jack Ruby's business partner," Paul was also Ruby's best friend in Dallas.

***William Harvey:** "knew of the attempts to kill Castro" hardly describes Harvey's role in the CIA assassination programs.

***C.L. Lewis:** Posner misleadingly describes him simply as "one of the dozens of Dallas deputy sheriffs who worked on the case."

***Dr. James Weston:** Posner omits that Weston was used in the 1975 CBS series supporting the Warren Commission findings, but held a press conference the next day charging that his views were misrepresented on the program.

***Eddy Benavides:** Posner fails to mention that Domingo Benavides' identification of Oswald became firmer after the death of his brother Eddy.

***Mary Meyer:** Posner implies it is uncertain whether she was actually JFK's mistress, though this has been confirmed by Ben Bradlee and others close to JFK. She told Timothy Leary she knew something about the assassination, but Posner says "she was not associated with any aspect of the case."

***Dorothy Kilgallen:** Posner differs with her biographer in stating Kilgallen had "no scoop

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pending" on the case at the time of her death.

***Rose Cheramie:** Posner repeats his inaccurate version of Cheramie's account.

***Albert Bogard:** Posner incorrectly says "none of his co-workers supported his story" about Oswald.

***William Pitzer:** Posner indicates there is no indication Pitzer was present at the Bethesda autopsy, especially taking a film. In fact, the source of the story is one of the autopsy technicians, Dennis David, a close friend of Pitzer who not only saw Pitzer taking the film, but helped him edit it later.³⁵⁵ As David and Pitzer's family report, the verdict of "suicide" is also in question.³⁵⁶

***Eladio del Valle:** As Gordon Winslow documented amply at ASK 1992, contemporary news accounts make it highly unlikely that del Valle was murdered by, as Posner suggests, "Castro agents."

***Hale Boggs:** Posner fails to mention that Boggs had expressed doubts about some of the Warren Commission's findings, despite being a member, and says "it is not clear why he qualifies" as a mysterious death. He lists Boggs' death as "plane crash," though the plane was never found.

***Thomas Davis:** Checked into a New Orleans hotel the day before Oswald's confrontation with Carlos Bringuier, but Posner is apparently unaware of this.

***Joseph Milteer:** Posner minimizes the detail in his assassination prediction.

***Sam Giancana:** Posner apparently feels that the FBI is a more reliable source on Giancana's knowledge of the assassination than Giancana's brother, who says Giancana was involved.

***Johnny Roselli:** Posner fails to mention Roselli told Jack Anderson that a Castro hit team killed JFK.

***George DeMohrenschildt:** Here, Posner seems to be saying that testifying before the Warren Commission and giving later press interviews disqualifies someone as a "mysterious death."

***William Sullivan:** Not shot, as Posner reports, by "a fellow hunter," but shot on his own property by a stranger who "mistook" him for a deer. Posner even implies that Sullivan was unconnected to the FBI's assassination investigation.

***Francis Gary Powers:** Posner fails to mention Powers' suspicion that Oswald's information to the Soviets helped them shoot down his U-2.

ACKNOWLEDGMENTS: Posner seems to have been granted access to materials not made available to other researchers, including Admiral Burkley's oral history in the JFK Library, which a colleague of mine unsuccessfully sought to hear.³⁵⁷ Perhaps he had the permission of Burkley's family; if so, how did he obtain this? He seems to have had extensive cooperation from government agencies, including the CIA, and from Clay Shaw's attorneys. He gives special thanks to Carlos Bringuier, Dr. Michael Baden, Dr. John Lattimer and Earl Ruby. He was only the third non-governmental person to interview Yuriy Nosenko, and one of the few granted an interview by Bill Alexander. For acoustics, he relied extensively on Jim Bowles. He was assisted by Itek Corporation, often used by CBS and the CIA. He again refers to "computer enhancement" of the Zapruder film, which is nonsense. As an expert on Oswald in New Orleans, he relied on the Rev. Dave Murph, who is totally new to me. He also relies on apologist Jim Moore. He had considerable cooperation from retired law enforcement personnel. In addition, he acknowledges cooperation from the major repositories of information in the critical community: the files of Harold Weisberg, Mary Ferrell, and the Assassination Archives and Research Center among them. He also had full access, but gives no credit, to the files of the JFK Assassination Information Center in Dallas. According to director Larry Howard, Posner spent a few hours looking through the files, and didn't ask a single question of anyone there.³⁵⁸

³⁵⁵ Livingstone, *High Treason 2*, op. cit., pp. 556-7.

³⁵⁶ *ibid.*, pp. 557-9.

³⁵⁷ Telephone conversation with Kathlee Fitzgerald.

³⁵⁸ "Now" (NBC News) 8-25-93.

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MYTHS REASONABLY DEMOLISHED:

- 1) That Oswald was a poor shot in the Marines,³⁵⁹ though he was clearly a poor shot in Russia, as even Posner concedes.³⁶⁰ (But see below, #13, regarding how this relates to his ability with the Carcano.).
- 2) That Yuriy Nosenko was a KGB plant³⁶¹--Posner, in fact, provides perhaps the best published account of the Nosenko case to date. Incidentally, he also describes how Edward Epstein allegedly intentionally blew Nosenko's cover in 1978.³⁶²
- 3) Oswald got into the U.S.S.R. with mysterious facility.³⁶³ The only remaining question is how Oswald knew to go to Helsinki.
- 4) Nosenko provides a plausible explanation for the KGB not debriefing Oswald,³⁶⁴ and for Mikoyan's favorable intervention.³⁶⁵
- 5) Posner provides a plausible explanation for the CIA's delay in opening a file on Oswald.³⁶⁶
- 6) Marina's uncle was "a KGB man."³⁶⁷
- 7) Oswald worked in a restricted plant, or studied at an intelligence school.³⁶⁸
- 8) Oswald had a "lavish lifestyle" in Russia.³⁶⁹
- 9) Oswald spoke fluent Russian.³⁷⁰
- 10) Oswald easily returned from the Soviet Union.³⁷¹
- 11) Oswald's Defense Department Privileges card was suspicious.³⁷²
- 12) Oswald wasn't a violent person. Throughout, his treatment of Marina after their return to the U.S. was brutal, and this is well-documented. Posner cites the documentation throughout Chapters 5 and 6. Volkmar Schmidt also concluded that Oswald was "a violent person,"³⁷³ though he later threw a party for the Oswalds, and introduced them to Ruth Paine.³⁷⁴ Posner also reports testimony that he was aggressive toward co-workers at Jaggars-Chiles-Stovall.³⁷⁵
- 13) The Mannlicher-Carcano was an unreliable weapon.³⁷⁶ It has long been absurd to argue that the Italian army would use a rifle from 1891 to 1943 that couldn't shoot straight or perform reliably. Too many people listened to Mark Lane on this point, on which he is simply not credible. On the other hand, it is much inferior to the Marine Corps weapon, semi-automatic, that Oswald used to obtain the test scores cited by apologists to prove he was an excellent marksman. It is highly unlikely he could have shot as well with the Carcano.
- 14) The quick issuance of Oswald's second passport in New Orleans was unusual.³⁷⁷
- 15) David Ferrie's library card was found among Oswald's belongings.³⁷⁸

³⁵⁹ p. 20.

³⁶⁰ Footnote 2, p. 67.

³⁶¹ Chapter 3.

³⁶² p. 46.

³⁶³ p. 47.

³⁶⁴ p. 49.

³⁶⁵ p. 52.

³⁶⁶ Footnote, p. 53.

³⁶⁷ Footnote, p. 55.

³⁶⁸ Footnote, pp. 56-7.

³⁶⁹ p. 58.

³⁷⁰ pp. 63-5.

³⁷¹ pp. 67-73.

³⁷² Footnote 2, p. 93-4.

³⁷³ p. 99.

³⁷⁴ p. 101.

³⁷⁵ p. 110.

³⁷⁶ p. 104.

³⁷⁷ Footnote, pp. 133-4.

³⁷⁸ Footnote 2, p. 143.

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- 16) Ferrie and Oswald were in the Civil Air Patrol at the same time.³⁷⁹
- 17) The FBI received a teletyped warning prior to the assassination. Posner certainly casts serious doubt on the story by William Walters.³⁸⁰
- 18) Oswald was an FBI informant.³⁸¹
- 19) Oswald was "placed" at the Book Depository by conspirators.³⁸²
- 20) Second Oswald sightings: Posner credibly discredits some of them.³⁸³
- 21) The "Oswald note" to the FBI was a warning of the assassination.³⁸⁴
- 22) The tale of Julia Ann Mercer of Jack Ruby and the pickup truck.³⁸⁵
- 23) The testimony of jail inmate John Powell.³⁸⁶
- 24) The Altgens photos shows Oswald in the Depository doorway at the time of the shots.³⁸⁷
- 25) The 6th floor shells were neatly lined up in a row.³⁸⁸
- 26) A Mauser was found on the 6th floor instead of a Carcano.³⁸⁹
- 27) Oswald's palmprint was placed on the rifle from his corpse at the funeral home.³⁹⁰
- 28) Kennedys' body was removed from the casket, traveled separately, and was surgically altered before the autopsy.³⁹¹
- 29) The Single Bullet would have to follow a zig-zag path to hit both men³⁹², what critic Todd Vaughan calls "the cartoon version" of the Single Bullet Theory.
- 30) It was suspicious that the Dallas Police didn't record Oswald's interrogation.³⁹³
- 31) Oswald owned a Minox "spy camera".³⁹⁴
- 32) Oswald was an FBI informant, and this was leaked to the press.³⁹⁵
- 33) The paraffin test means something.³⁹⁶
- 34) Jack Ruby was involved in the Leon Cooke murder in Chicago.³⁹⁷
- 35) Ruby represented the Chicago Mob in Dallas.³⁹⁸
- 36) Ruby's informant relationship with the FBI was suspicious.³⁹⁹
- 37) Sylvia Meagher's Subject Index to the Warren Report is an objective reference.⁴⁰⁰

³⁷⁹ p. 143.

³⁸⁰ Footnote, p. 155.

³⁸¹ Footnote, p. 208.

³⁸² Footnote 1, p. 202.

³⁸³ p. 213-14, Footnote 1 p. 214.

³⁸⁴ Footnote, pp. 216-17.

³⁸⁵ p. 229.

³⁸⁶ pp. 229-30.

³⁸⁷ p. 261.

³⁸⁸ Footnote, p. 270. A photo often cited to show the shells lined up was printed underexposed in the Warren Commission volumes; one shell is almost invisible in the shadows, and another object near the wall has been mistaken for a shell casing.

³⁸⁹ Footnote, p. 271.

³⁹⁰ pp. 284-5; also confirmed by Rusty Livingston of the Dallas Police Crime Lab at the 1992 Chicago conference; ink on Oswald's hands was used for a post-mortem fingerprint card, but there was no ink on the rifle, so the palmprint was not made that way.

³⁹¹ pp. 295-301; the theory had been previously debunked by Harrison Livingstone in High Treason 2, included in Posner's bibliography, but not cited in support of his argument. Posner does note Dr. Cyril Wecht's dismissal of Lifton's body alteration theory as "crap" (p. 297).

³⁹² pp. 334-5.

³⁹³ pp. 343-4.

³⁹⁴ Footnote, p. 344.

³⁹⁵ Footnote, p. 348: Bill Alexander admits making up the story and planting it himself.

³⁹⁶ Footnote and text, p. 349.

³⁹⁷ Footnote and text, p. 352.

³⁹⁸ p. 354.

³⁹⁹ Footnote 1, p. 360.

⁴⁰⁰ Footnote, p. 419.

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- 38) Ohio Gov. James Rhodes blocked Garrison's attempt to extradite Gordon Novel.⁴⁰¹
- 39) Calif. Gov. Ronald Reagan refused to honor a legitimate extradition request for Edgar Eugene Bradley.⁴⁰²
- 40) Information on Oswald in a New Zealand newspaper got in with suspicious speed.⁴⁰³
- 41) Deaths of related figures after the assassination violated staggering odds.⁴⁰⁴

INTERESTING LEADS:

- 1) Posner mentions a four-part 1992 series in Isvestiya (August 7, 8, 11, 13) based on Oswald's KGB file, and also indicates that Norman Mailer was given access to the file.⁴⁰⁵
- 2) The HSCA interview with Guy Banister's brother Ross Banister.⁴⁰⁶
- 3) Valeriy Kostikov is working on a book about his meeting with Oswald in Mexico City.⁴⁰⁷
- 4) Oleg Nechiporenko claims to know the identity of the man mistaken for Oswald in Mexico City.⁴⁰⁸
- 5) Dallas radio reporter Travis Linn allegedly recorded the assassination, but his tape was accidentally erased at the radio station.⁴⁰⁹
- 6) Six new Plaza witnesses, employees of the U.S. Post Office, three of whom watched the assassination with binoculars.⁴¹⁰ Posner quotes only one.
- 7) Adm. Burkley's oral history at the JFK Library indicates he suggested to Mrs. Kennedy that the autopsy be done at a military rather than a civilian hospital, with no discussion of a forensic rather than a hospital pathologist.⁴¹¹
- 8) Jada gave an interview which appeared January 1, 1964 in the El Paso Herald Post.⁴¹²

ORIGINAL INTERVIEWS (from chapter notes):

Yuriy Nosenko, Ernst Titovets, Marina Oswald, researcher David Perry, Michael Paine, Ruth Paine, Art Pence, Adrian Alba, Hubie Badeaux, Delphine Roberts, Delphine Roberts Jr., John Lanne, Shaw attorney Irvin Dymond, Carlos Bringuier, Warren De Brueys, Francis Martello, journalist Gerald Nadler, Edwin Lopez, Bill Alexander, Danny Arce, Ronald Fischer, H.B. McLain, Harold Norman, Travis Linn, Amos Euins, researcher Gary Mack, Jim Moore, Tom Weaver, John Crawson, Bernie Schram, Francine Burrows, Carl Day, Dr. Pepper Jenkins, Dr. Bill Midgett, Dr. Ron Jones, Dr. Paul Peters, Dr. Charles Baxter, Dr. Malcolm Perry, Dr. Adolph Giesecke, Dr. Robert Shaw, Francis O'Neill, Dr. Michael Baden, Dr. Cyril Wecht, Dr. James Humes, Dr. John Lattimer, Dr. Charles Carrico, Robert Kraus, James Tague, Dr. Michael West, Dr. Robert Piziali, John Connally, Earl Ruby, Bill Roemer, Tony Zoppi, "confidential FBI source," Rabbi Hillel Silverman, Burt Griffin, James Lesar, Milton Brener, Alvin Beauboeuf, Layton Martens, Cynthia Wegmann, Robert Blakey, David Wrone, Brian Litman, & James Leavelle.

⁴⁰¹ Footnote 2, p. 435.

⁴⁰² Footnote, pp. 443-4.

⁴⁰³ Footnote, pp. 468-9.

⁴⁰⁴ p. 485; though the source of the figures repudiated them, critics and the film "Executive Action" continued to cite them as if they were meaningful or reliable.

⁴⁰⁵ p. 46.

⁴⁰⁶ p. 529, note 108.

⁴⁰⁷ Footnote, p. 183.

⁴⁰⁸ Footnote 3, p. 186.

⁴⁰⁹ pp. 243-5.

⁴¹⁰ p. 262.

⁴¹¹ p. 299.

⁴¹² p. 559, note 82.

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